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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,636	02/06/2002	Martin Greive	A-3222	8095

7590

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EXAMINER

LIANG, LEONARD S

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/068,636

Applicant(s)

GREIVE, MARTIN

Examiner

Leonard S Liang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 06 January 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

In the amended specification, the printing heads [11] on page 15, line 13, have been changed to printing heads 5, which is correct. However, on page 15, line 10, printing heads is still referred to as reference 11.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

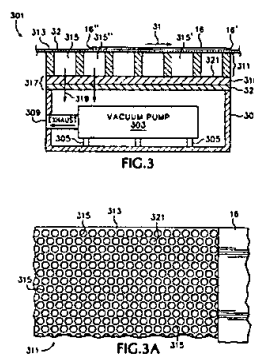
2. Claims 1-2 and 5-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Yraceburu et al (US Pat 6409332).

Yraceburu et al discloses:

- {claim 1} A device for holding a sheetlike article on a moveable underlying surface for transporting the sheetlike article at least in one direction selected from the group consisting of a direction into and a direction out of an operating station having printing heads (figure 1, reference 14, 31, 37; column 2, lines 66-67; column 3, lines 1-3); a moveable belt formed with through-passage holes, the belt having a surface underlying the sheetlike article, the sheetlike article being retainable by pneumatic pressure on the

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surface (figure 3, reference 32, 307; column 5, lines 11-17); a screening device disposed locally fixedly with respect to the operating station, the screening device serving for reducing an airflow in a region of the printing heads at least with respect to adjacent regions, the reduction in the airflow resulting from the sheetlike article being held on the underlying surface (figure 3, reference 317; column 6, lines 6-15); a cover plate disposed beneath the belt, the cover plate formed with pass-through openings (figure 3, reference 311, 313); a sheet-like mesh formed with holes and disposed beneath the cover plate, the holes of the mesh being of such number and size to cause, as a result of flow resistance thereof, an adequate reduction in the airflow in the region of the printing heads (figure 3, reference 317; column 6, lines 6-15)



- {claim 2} the printing unit is an ink-jet unit (column 2, lines 66-67)
- {claim 5} a virtually limited first suction chamber (figure 3, reference 315) disposed beneath the region of the printing unit and a negative-pressure source (figure 3, reference 303), the screening device having a throttle opening, the first suction chamber being connected to the negative pressure source via the throttle opening (figure 3, reference 317; column 6, lines 6-15)
- {claim 6} further suction chambers (figure 5, reference 315''), the further suction chambers being located adjacent the first suction chamber and having a greater negative pressure than that of the first suction chamber (column 6, lines 10-15)
- {claim 7} the cover plate covers the suction chambers and serves for guiding the belt (figure 3, reference 311, 313)
- {claim 8} the mesh is connected to the cover plate (figure 3, reference 311, 317)
- {claim 9} the connection of the mesh to the cover plate is a connection selected from the group consisting of integral and releasable connections (figure 3, reference 311, 313;

figure 3A, reference 313; platen is integrally connected to mesh 317; platen surface 313 is individually shown in figure 3A, and thus implied to be releasable)

- {claim 10} the underlying surface is on a continuous transport belt formed with holes around the length thereof and guidable in given sections by the cover plate (figure 3, reference 32, 313; column 5, lines 15-18)
- {claim 11} the pneumatic pressure is selected from the group thereof consisting of positive and negative pressures (figure 3, reference 303; negative pressure disclosed)
- {claim 12} the pass-through openings of the cover plate in the region of the printing heads have a smaller pass-through surface area than pass-through openings outside the region (inherent in view of column 5, lines 60-67; column 6, lines 1-2; openings in print regions are disclosed to be partially open so as not to alter ink drop flight trajectories)
- {claim 13} the mesh only applies in areas where the printing heads are located (inherent in view of column 2, lines 39-41; column 6, lines 14-15; the invention is meant to apply towards minimizing airflow impact on ink-jet drop flight trajectory (ink-jet drop trajectory is located in areas where the printing heads are located)

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Esposito (US Pat 5505124) discloses a printing press with a device for providing a suction force. Miyasaka et al (US Pat 6270215) discloses an inkjet printer. Yamada et al (US Pat 6038776) discloses an automatic drafting machine. Uchimura (JP Pat 06055731A) discloses an ink jet printer. Wotton et al (US Pat 6336722) discloses conductive heating of print media. No (US Pat 5835106) discloses a printing system for sectional circular container. Takanaka (US Pat 5764264) discloses an image forming apparatus having a movable separator for separating a recording medium from a feeding belt.

Kubo et al (US Pat 6074056) discloses an ink jet printer which securely holds a printing medium without contaminating a peripheral surface of a rotary drum.

Koumura et al (US Pat 4463361) discloses an ink jet recording apparatus with vacuum platen.

Uchida et al (US Pat 5225852) discloses a recording material transport device and recording apparatus having the same.

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Response to Arguments

4. Applicant's arguments filed on 12/27/02 have been fully considered but they are not persuasive.

The applicant submits that none of the cited references shows a "3-layer structure." However, as shown in the above rejection, Yraceburu et al clearly discloses a movable belt (figure 3, reference 32), a platen (i.e. cover plate; figure 3, reference 311, 313), and a porous filter (i.e. mesh; figure 3, reference 317).

Final Rejection

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

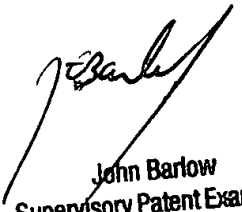
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S Liang whose telephone number is (703) 305-4754. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (703) 308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

IsL LSL

March 4, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800